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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Decided on: 30th May, 2023+ W.P.(C) 6368/2023
KUSUM GUPTA

..... Petitioner

Through: Mr. Janmejy Pratap Singh with
Mr. Varun Singh and
Mr. Amogh Mund, Advocates.
(M): 8585931494

Email: janmajay.chauhan810@gmail.com

versus

GOVT. OF NCT OF DELHI AND ANR. Respondents

Through: Mr. Anupam Srivastava, ASC
with Ms. Sarita Pandey,
Advocate for respondent no. 1
and 2.

(M): 9205174429

Email: sarita@tclindia.in

CORAM:**HON'BLE MS. JUSTICE MINI PUSHKARNA****[Physical Hearing/ Hybrid Hearing]****MINI PUSHKARNA, J. (ORAL):**

1. The present petition has been filed with directions to quash the proceedings pending in respect of petitioner's land bearing Khasra No. 42//17/1 min (1-14), situated in Village Chhawla, Tehsil Kapashera, District South-West, New Delhi in *Case No. 1/51/2020*, titled as ***Gaon Sabha Chhawla Vs. Kusum Gupta***, pending before the learned Deputy Commissioner, Kapashera, District South West, New Delhi.

2. The facts on record clearly show that in the present case the area in question i.e. Village Chhawla has been urbanized by way of notification dated 16.05.2017 under Section 507 of the Delhi



Municipal Corporation Act, 1957.

3. The final order of vesting in the present case was passed on 31.10.2019 by the Sub-Divisional Magistrate (SDM)/Revenue Assistant (RA) (Kapashera). Thus, it is clear that the order of vesting came to be passed in the year 2019, which was much later after the urbanization of the area in the year 2017.

4. After urbanization of the area in question in the year 2017, the proceedings under the Delhi Land Reforms Act, 1954 (DLR Act) became non-est and could not have continued. Thus, any proceedings under the DLR Act which continued after the issuance of the notification dated 16.05.2017 declaring the area in question as urbanized, were clearly non-est and illegal.

5. In view of the aforesaid, the final order dated 31.10.2019 under Section 81 of the DLR Act passed by the Sub-Divisional Magistrate/Revenue Assistant (Kapashera) is set aside. Consequently, the proceedings pending before the Deputy Commissioner, Kapashera in case bearing No. 1/51/2020, titled as ***Gaon Sabha Chhawla Vs. Kusum Gupta***, pending in respect to land of the petitioner in khasra no. 42//17/1 min (1-14), situated in Village Chhawla, Tehsil Kapashera, District South-West, New Delhi, are hereby quashed.

6. With the aforesaid directions, the present writ petition is disposed of.

MINI PUSHKARNA, J

MAY 30, 2023/c